

# Notice of Allowability

Application No.

10/806,257

Examiner

JAMES C. KERVEROS

Applicant(s)

SHIMAWAKI, KAZUHIRO

Art Unit

2138

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 8/3/2006.
2. ☒ The allowed claim(s) is/are 2, 3, 7, 8, 12, 13, 17 and 18. Renumbered as Claims 1-8.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 09/712,844.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
JAMES C KERVEROS  
Examiner  
Art Unit 2138

### **NOTICE OF ALLOWANCE**

This is a Notice of Allowance in response to Amendment filed 8/3/2006.

This Application is a DIV of 09/712,844 filed 11/15/2000, now US Patent No. 6,980,617.

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d) of JAPANESE Application No. 323624/1999 filed 11/15/1999. The certified copy has been filed in parent Application No. 09/712844, filed on 11/15/2000.

The drawings replacement sheets for Figure 1-8 received on 8/3/2006 are acceptable.

Claim Objections is hereby withdrawn in view of the Amendment to the claims.

Claim Rejections under 35 U.S.C. 112, second paragraph, is hereby withdrawn in view of the Amendment to the claims.

Claims 1, 4-6, 9-11, 14-16, 19-20 have been cancelled.

Claims 2, 3, 7, 8, 12, 13, 17, 18 were previously examined.

### ***Allowable Subject Matter***

Claims 2, 3, 7, 8, 12, 13, 17 and 18 are allowed. Renumbered as Claims 1-8.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kenneth Berner on September 21, 2006.

The application has been amended as follows:

In the PRELIMINARY AMENDMENT to the Specification on page 2, line 3 of the paragraph, after the filing date of parent Application 09/712,844, added the expression, "now US Patent No. 6,980,617".

Claims 2, 7, 12, 17 have been replaced with the following amended claims:

Claim 2. (currently amended) A reception data synchronizing apparatus for obtaining synchronization between reception data having a plurality of synchronism patterns and expectation data as an expected value of the reception data, comprising:

a synchronism pattern detecting timing recording means for recording a first synchronism pattern detecting timing at which a first of the plurality of synchronism patterns is detected;

a collation and synchronism decision means for collating the reception data with the expectation data to decide whether or not the reception data is consistent in phase with the expectation data according to the first synchronism timing;

wherein the synchronism pattern detecting timing recording step records a second synchronism timing as the first synchronism timing, when the collation and synchronism decision means gives a decision for inconsistency in phase, and wherein said second synchronism timing is a timing at which a second of the plurality of synchronism patterns is detected.

Claim 7. (currently amended) A reception data synchronizing method for obtaining synchronization between reception data having a plurality of synchronism patterns and expectation data as an expected value of the reception data, comprising:

a synchronism pattern detecting timing recording step for recording a synchronism pattern detecting timing at which a first of the plurality of synchronism patterns is detected;

a collation and synchronism decision step for collating the reception data with the expectation data to decide whether or not the reception data is consistent in phase with the expectation data according to the first synchronism timing;

wherein the synchronism pattern detecting timing recording step records a second synchronism timing as the first synchronism timing, when the collation and synchronism decision step gives a decision for

inconsistency in phase, and wherein said second synchronism timing is a timing at which a second of the plurality of synchronism patterns is detected.

Claim 12. (currently amended) A computer-readable medium embodying a program of instructions for execution by the computer to perform a reception data synchronizing method for obtaining synchronization between reception data having a plurality of synchronism patterns and expectation data as an expected value of the reception data, comprising:

a synchronism pattern detecting timing recording step for recording a synchronism pattern detecting timing at which a first of the plurality of synchronism patterns is detected;

a collation and synchronism decision step for collating the reception data with the expectation data to decide whether or not the reception data is consistent in phase with the expectation data according to the first synchronism timing wherein the synchronism pattern detecting timing recording step records a second synchronism timing as the first synchronism timing, when the collation and synchronism decision step gives a decision for inconsistency in phase, and wherein said second synchronism timing is a timing at which a second of the plurality of synchronism patterns is detected.

Claim 17. (currently amended) A reception data synchronizing apparatus for obtaining synchronization between reception data having a plurality of synchronism patterns and expectation data as an expected value of the reception data, comprising:

a synchronism pattern detecting timing recording device that records a first synchronism pattern detecting timing at which a first of the plurality of synchronism patterns is detected;

a collation and synchronism decision device that collates the reception data with the expectation data to decide whether or not the reception data is consistent in phase with the expectation data according to the first synchronism timing, wherein the synchronism pattern detecting timing recording device records a second synchronism timing as the first synchronism timing, when the collation and synchronism decision device gives a decision for inconsistency in phase, and wherein said second synchronism timing is a timing at which a second of the plurality of synchronism patterns is detected.

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

During a telephone conference with Applicant's attorney Kenneth Berner on September 18, 2006, the Examiner suggested a proposed amendment that would better

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clarify the claimed invention, which is now incorporated in the instant application as indicated by the present Examiner's amendment.

The prior arts of record taken alone or in combination fail to teach, anticipate, suggest or render obvious the claimed invention as recited in the independent claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES C. KERVEROS whose telephone number is (571) 272-3824. The examiner can normally be reached on 9:00 AM TO 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Date: 21 September 2006  
Office Action: Allowance

JAMES C KERVEROS  
Examiner  
Art Unit 2138

By:  9/21/06